

Congress of the United States
Washington, DC 20515

October 20, 2015

Norman C. Bay, Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Stephen G. Burns, Chairman
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairmen Bay and Burns:

In anticipation of the October 21 joint meeting of the Federal Energy Regulatory Commission (FERC) and the Nuclear Regulatory Commission (NRC), we write to request your attention to a matter of extreme importance to our constituents in New York's Hudson Valley. Spectra Energy Partners' (Spectra) proposed Algonquin Incremental Market Expansion Project (AIM Project) is moving forward, despite the numerous requests for rehearing submitted to FERC following its March 3 Order granting approval of the AIM Project. Furthermore, residents, experts, and elected officials from all levels of government have called on NRC to require an independent transient risk assessment be conducted to adequately evaluate the risks associated with placing the new natural gas pipeline in close proximity to Indian Point Energy Center (IPEC).

FERC's decision to toll the requests for rehearing allows Spectra to move forward with the AIM Project without addressing the serious safety concerns raised by opponents. While FERC has yet to make a final decision on the requests for rehearing, the AIM Project has received additional approvals from FERC to begin construction on the pipeline, including preparation for the horizontal directional drilling across the Hudson River.

NRC has received numerous letters and petitions from concerned citizens, including Mr. Paul Blanch's "10 CFR 2.206 Petition Regarding Violations of Regulations by Entergy Indian Point" (Blanch Petition), originally submitted on October 16, 2014. The Blanch Petition was denied. Mr. Blanch appealed the decision to the Petition Review Board (PRB) and asked that the second presentation be held near IPEC to allow interested parties to attend. PRB agreed to allow Mr. Blanch to make the second presentation via telephone conference. During the July 15 presentation, Mr. Blanch stated he had a list of 39 questions for PRB, and while PRB could not answer the questions during the presentation, PRB and NRC agreed to respond to Mr. Blanch's questions following the presentation. In fact, a representative of Senator Gillibrand's office asked

when PRB anticipated a response, and was told four to six weeks. PRB rejected the Blanch Petition again on September 9, and has yet to respond to Mr. Blanch's questions.

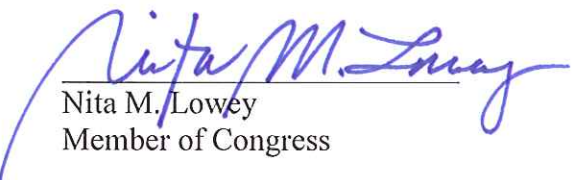
Spectra's AIM Project is intended to address the demand for energy in New England. However, as elected representatives of residents in the Hudson Valley, we believe FERC and NRC's primary responsibility should be to protect the health and safety of the 20 million people who live within the 50 mile radius of IPEC. Despite the widespread calls for an independent risk assessment, FERC and NRC have disputed the need and instead relied on Spectra and Entergy's calculations. Emails between FERC and NRC obtained through FOIA requests acknowledge that neither FERC nor NRC had the necessary software required to analyze liquefied natural gas terminal projects, and therefore both FERC and NRC relied on Entergy's assessment. The information in response to the FOIA requests also included Entergy's analysis, which appears to be based on a "back of an envelope drawing" to determine the impact of the blast radius.

Based on the above, we believe Mr. Blanch is entitled to the answers to his 39 questions which NRC promised in July. We request NRC respond in writing to Mr. Blanch within two weeks.

Additionally, we call on FERC and NRC to require Spectra and Entergy to fund an independent transient risk assessment for the AIM Project as soon as possible. Attached is a copy of the description of what should be included in an independent transient risk assessment, which you have previously received in Assemblymembers Sandy Galef and David Buchwald's August 4, 2015 letters to your agencies.

We urge you to discuss the issues of the tolling of the requests for rehearing, Mr. Blanch's questions, and the need for an independent transient risk assessment at your October 21 joint meeting, and look forward to seeing prompt action regarding these very serious safety concerns.

Sincerely,



Nita M. Lowey
Member of Congress



Eliot L. Engel
Members of Congress

A Transient Risk Analysis should include:

1. A clear simple flow schematic capturing the 42-inch system between compressor stations for the pipe segment spanning the nuclear facilities, and include the mileage of pipe along the segment from the compressor stations, the pipe diameter and thickness, the pipe friction factor (affects rate of mass release with time), the location of mainline valves and the valve actuation of any of these mainline valves, the controlling scheme of the upstream and downstream compressor stations and the approximate mileage at the point near the nuclear plant where the case will assume rupture has occurred.
2. From the above schematic an engineer familiar with transient rupture calculations for compressible natural gas flow can then model or calculate the mass release change with time from the designated point of rupture for the schematic system clearly stating key assumptions leveraging to the calculation effort (such as pressure at time of rupture, control logic of the upstream compressor station, pipe segment lengths, initial gas flow rate before rupture, etc.) This is no small feat as the gas release rates out of rupture take a quantum rate increase as the "system curves" for the pipeline segments (there will be two following rupture) are changed considerably at point of rupture.
3. Results of the above mass release calculation are usually plotted as a series of total mass release curves with time that help demonstrate "a fingerprint" for the case that will quickly allow an experienced analyst familiar with pipeline rupture to see if case assumptions are realistic (such as rupture recognition time via SCADA and valve closure time, and pipe segment blowdown times). All of these affect the mass release cases, thus the transient part.
4. Lastly, a time to ignition/detonation is estimated for several different plot curves to demonstrate a sensitivity case for possible blast and usually more importantly heat fluxes to gauge impact to sensitive nuclear facilities that play a part in bringing the plant down safely and keep it in a safe condition. Not all gas pipeline ruptures ignite or detonate, but when they do, damage is increased considerably so a truly conservative case for the nuclear risk is going to have a fairly quick detonation/ignition time for controlling case (something like 30 seconds or less).